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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/087,200	03/01/2002	Jason Buck Some	390054.401C1

CONFIRMATION NO. 1354

## FORMALITIES LETTER



\*OC000000007926912\*

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVE  
SUITE 6300  
SEATTLE, WA 98104-7092

Date Mailed: 04/22/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of \$326 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

06/11/2002 BNGUYEN1 00000006 10087200

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$761 for a Small Entity

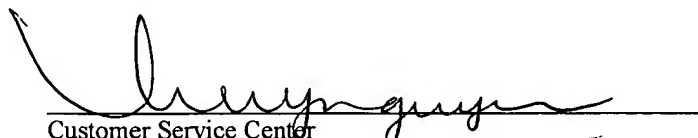
01 FC:201	370.00 OP
02 FC:203	144.00 OP
03 FC:202	42.00 OP
04 FC:205	65.00 OP
05 FC:204	140.00 OP

- \$370 Statutory basic filing fee.

- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$326
  - \$144 for 16 total claims over 20.
  - \$42 for 1 independent claims over 3.
  - \$140 for multiple dependent claim surcharge.

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : James E. Fleming and Jason Buck Some  
Application No. : 10/087,200  
Filed : March 1, 2002  
Inventor : METHOD AND APPARATUS FOR PROKARYOTIC AND  
EUKARYOTIC CELL QUANTITATION

Art Unit : 1623  
Docket No. : 390054.401C1  
Date : June 4, 2002

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated April 22, 2002, please find enclosed the following documents:

  X   Fee  
  X   Oath/Declaration  
  X   Copy of Notice to File Missing Parts  
      Sheets of Formal Drawings



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PATENT TRADEMARK OFFICE

Respectfully submitted,  
James E. Fleming and Jason Buck Some  
Seed Intellectual Property Law Group PLLC

William T. Christiansen, Ph.D.  
Registration No. 44,614

289842

**FREE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** **761.00****METHOD OF PAYMENT**

Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

Deposit Account:

Deposit  
Account  
Number**19-1090**Deposit  
Account  
Name**Seed Intellectual Property Law Group  
PLLC**

The Commissioner is authorized to (check all that apply)

- ☐
- Charge fee(s) indicated below
- ☒
- Credit any overpayments
- 
- ☐
- Charge any additional fee(s) during the pendency of this application
- 
- ☐
- Charge fee(s) indicated below, except for the filing fee
- 
- ☒
- Charge any deficiencies

to the above-identified deposit account.

☒ Applicant claims small entity status. See 37 CFR 1.27.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	<b>370</b>
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					<b>(\$ 370)</b>

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
<b>36</b>	<b>-20** = 16</b>	<b>9</b>	<b>144</b>
Independent Claims <b>4</b>	<b>-3** = 1</b>	<b>42</b>	<b>42</b>
Multiple Dependent	<b>140</b>	<b>140</b>	<b>140</b>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) **(\$ 326)**

\*\*or number previously paid, if greater; For Reissues, see above

**Complete if Known**

Application Number **10/087,200**  
 Filing Date **March 1, 2002**  
 First Named Inventor **James E. Fleming**  
 Examiner Name  
 Group Art Unit **1623**  
 Attorney Docket No. **390054.401C1**

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	<b>65</b>
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$ 65)****SUBMITTED BY**

Name (Print/Type) **William T. Christiansen, Ph.D.** Registration No. **44,614**  
 Firm Name/Address  
 Signature *[Signature]* Date **6/4/02**

**00500**

PATENT TRADEMARK OFFICE

6-6-2 TIDP \$  
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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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FORM**To be used for all correspondence  
after initial filing)


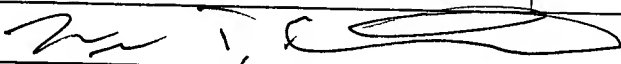
Application Number	10/087,200
Filing Date	March 1, 2002
First Named Inventor	James E. Fleming
Group Art Unit	1623
Examiner Name	
Attorney Docket No.	390054.401C1

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> <b>Fee Transmittal Form</b> <input checked="" type="checkbox"/> <b>Fee Attached</b> <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> <b>Response to Missing Parts under 37 C.F.R. 1.52 or 1.53</b> <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> <b>Power of Attorney, Revocation, Change of Correspondence Address</b> <input checked="" type="checkbox"/> <b>Declaration</b> <input checked="" type="checkbox"/> <b>Statement under 37 CFR 3.73(b)</b> <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> <b>Return Receipt Postcard</b> <input checked="" type="checkbox"/> <b>Additional Enclosure(s) (please identify below):</b> <u>Copy of Assignment</u> <u>Copy of Notice to File Msg. Pts.</u>
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Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	William T. Christiansen, Ph.D. Registration No. 44,614	 <b>00500</b> PATENT TRADEMARK OFFICE
Signature		
Date	6/4/02	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.

Typed or printed name		
Signature		Date: